

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

JIMMY ANDERLOHR, )  
v. )  
Plaintiff, )  
Case No. CIV-21-00776-PRW  
TURN-KEY HEALTH, et al., )  
Defendant. )

## ORDER

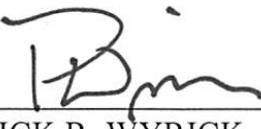
This matter is before the Court on United States Magistrate Shon T. Erwin's Report and Recommendation (Dkt. 29), entered on July 14, 2022, recommending that the Court grant Defendant Martinez's Motion for Summary Judgment based on Plaintiff Anderlohr's failure to exhaust administrative remedies. The parties were advised of their right to object to the Report and Recommendation (Dkt. 29) by August 1, 2022. No objections have been filed as of this date. Having failed to object, the parties have waived their right to appellate review of the factual and legal issues addressed in the Report and Recommendation (Dkt. 29).<sup>1</sup>

The Court has reviewed Magistrate Judge Erwin's Report and Recommendation (Dkt. 29) de novo and agrees with the reasoning and conclusions therein. Therefore, the Court adopts the Report and Recommendation in its entirety.

<sup>1</sup> See *Casanova v. Ulibarri*, 595 F.3d 1120, 1123 (10th Cir. 2010).

Accordingly, the Court **ADOPTS** Magistrate Judge Erwin's Report and Recommendation (Dkt. 29) and **GRANTS** Defendant Martinez's Motion for Summary Judgment based on Plaintiff Anderlohr's non-exhaustion of administrative remedies.

**IT IS SO ORDERED** this 9th day of August 2022.



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PATRICK R. WYRICK  
UNITED STATES DISTRICT JUDGE